

REMARKS

Claims 1, 4, 11, 14, 21, 24 and 31 to 33 are pending in the application, of which Claims 1, 11 and 21 are independent. Reconsideration and further examination are respectfully requested.

Claims 1, 4, 11, 14, 21, 24 and 31-33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over W.O. 2002/82362A2/U.S. 2004/0187087 (Petz) is used in lieu of English translation) in view of U.S. 7,159,190 (Perry). Reconsideration and withdrawal of this rejection are respectfully requested.

The present invention concerns setting the conditions for color printing in a document. In one aspect of the invention, a color mode to be applied to pages contained in the document data can be using a determination of whether a printer can change a print mode in processing of the print data based on performance information of the printer acquired from the printer before the print data is sent. If it is determined that the printer can change a print mode, a command is included in the print data to instruct the printer to change print modes while printing a document having multiple parts with different print mode requirements.

Turning to specific claim language, amended independent Claim 1 is directed to an information processing apparatus generating print data sent to a printer. The apparatus includes: a first display unit configured to display a first setting screen to set an entire color mode defining a color mode to be applied to the entire document data; a second display unit configured to display a second setting screen to set a chapter color mode defining the color mode to be applied to a selected chapter including a plurality of pages of the document data, wherein the second setting screen is a window different from the first setting screen; a third display unit configured to display a third setting screen to set a page color mode defining the color mode to be

applied to a selected page of the document data, wherein the third setting screen is a window different from the first setting screen and the second setting screen; a determining unit configured to determine whether the printer can change a print mode in processing of the print data based on performance information of the printer acquired from the printer before the print data is sent; and a print data generating unit configured to generate print data including a color mode changing command so that a printer prints a printed material on which the color mode defined by the page color mode is applied to the selected page and the color mode defined by the chapter color mode is applied to the selected chapter and the color mode defined by the entire color mode is applied to the remaining portion of the document data to which the page color mode and the chapter color mode are not applied when the determining unit determines that the printer can change the print mode in processing of the print data, the entire color mode is set in accordance with an instruction received via the first setting screen displayed by the first display unit, the chapter color mode is set in accordance with an instruction received via the second setting screen displayed by the second display unit and the page color mode is set in accordance with an instruction received via the third setting screen displayed by the third display unit.

Applicant respectfully submits that the cited references, namely Petz and Perry, considered either alone or in combination, fail to disclose or suggest all of the features of the apparatus of Claim 1. In particular, the cited references, either alone or in combination, fail to disclose or suggest at least the features of determining whether the printer can change a print mode in processing of the print data based on performance information of the printer acquired from the printer before the print data is sent and then generating print data including a color mode changing command based on the determination in order for the printer to control the mode of color printing. By using this feature, printed matter that a user desires to be printed can be

output since the print data is sent after determining whether the color mode can be changed at a page or chapter designated by the user and applying the appropriate color mode to the document data.

In contrast to the present invention, Petz discloses a document having a chapter including a plurality of pages as shown in Fig. 6a. A color attribute may be changed such that color can be applied to a unit of a page, a unit of a chapter or unit of a document. However, Petz fails to disclose or suggest determining whether the printer can change a print mode in processing of the print data based on performance information of the printer acquired from the printer before the print data is sent and then generating print data including a color mode changing command based on the determination in order for the printer to control the mode of color printing as featured in the present claims.

Furthermore, Perry discloses setting a color mode to be applied to a selected page through the use of exception attributes. Specifically, exception attributes can be set for page ranges, paper size, paper color, paper drill information, paper type, paper weight information, information regarding which paper sides will be printed, paper side one shift information and paper side two shift information. The job exception attributes can be displayed on the exception pages when the user decides to display the features. However, Perry fails to disclose or suggest determining whether the printer can change a print mode in processing of the print data based on performance information of the printer acquired from the printer before the print data is sent and then generating print data including a color mode changing command based on the determination in order for the printer to control the mode of color printing as featured in the present claims.

In light of these deficiencies in Petz and Perry, Applicant submits that Claim 1 is now in condition for allowance and respectfully requests same.

Amended independent Claims 11 and 21 are directed to a print data generating method and a computer-readable medium, respectively, substantially in accordance with the apparatus of Claim 1. Accordingly, Applicant submits that Claims 11 and 21 are also now in condition for allowance and respectfully requests same.

CONCLUSION

No claim fees are believed due; however, should it be determined that additional claim fees are required, the Director is hereby authorized to charge such fees to Deposit Account 06-1205.

Applicant's undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Frank Cire #42,419/  
Frank L. Cire  
Attorney for Applicant

FITZPATRICK, CELLA, HARPER & SCINTO  
1290 Avenue of the Americas  
New York, NY 10104-3800  
Facsimile: (212) 218-2200